

Introduced by Senator Soto

January 24, 2006

An act to amend Section 215 of the Probate Code, relating to decedents.

LEGISLATIVE COUNSEL'S DIGEST

SB 1197, as introduced, Soto. Notice of decedent's death.

Existing law requires in cases where a deceased person has received or may have received certain state-provided health care benefits, or was the surviving spouse of a person who received that health care, the estate attorney, the beneficiary, the personal representative, or the person in possession of the decedent's property to give the Director of Health Services notice of the decedent's death not later than 90 days after the date of death.

This bill would specify that the Director of Health Services has 4 months after notice is given in which to file a claim.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 215 of the Probate Code is amended to
- 2 read:
- 3 215. Where a deceased person has received or may have
- 4 received health care under Chapter 7 (commencing with Section
- 5 14000) or Chapter 8 (commencing with Section 14200) of Part 3
- 6 of Division 9 of the Welfare and Institutions Code, or was the
- 7 surviving spouse of a person who received that health care, the
- 8 estate attorney, or if there is no estate attorney, the beneficiary,
- 9 the personal representative, or the person in possession of property

1 of the decedent shall give the Director of Health Services notice
2 of the decedent's death not later than 90 days after the date of
3 death. The notice shall include a copy of the decedent's death
4 certificate. The notice shall be given as provided in Section 1215,
5 addressed to the director at the Sacramento office of the director.
6 *The director has four months after notice is given in which to file*
7 *a claim.*

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